

REMARKS

This application has been reviewed in light of the Office Action mailed on January 27, 2005. Claims 1-24 are pending in the application. Claims 1, 8, 15, 16 and 17 are in independent form. By the present amendment, Claims 1, 4, 5, 8, 11, 12, 15-17 and 21-24 have been amended and Claims 3, 10, 19 and 20 have been cancelled. No new matter or issues are believed to be introduced by the amendments.

In the Office Action, Claims 1, 2, 8, 15 and 16 were rejected under 35 U.S.C. §102(e) as being anticipated by WO 01/15449A1 ("Vamparys").

Independent Claims 1, 2, 8, 15 and 16 have been similarly amended to better define Applicant's invention and to overcome the cited rejection.

Claim 1 now recites:

A method for making a recommendation in a lifestyle recommendation machine, the method comprising the steps of:
generating a user profile based on explicit and/or implicit directions of a user;
making a recommendation for an item, service, and/or event based on the user profile;
and
reporting the recommendation to the user through a celebrity agent while simultaneously displaying an image of the celebrity agent. (Emphasis Added)

Support for the amendments can be found throughout Applicant's specification and in the figures. Claims 8, 15 and 16 have been amended to include similar limitations added to Claim 1.

Vamparys is directed to a method and apparatus for creating recommendations from user profiles and program metadata. The system described uses a central profiling server that includes a program agent system, a user agent system, and a recommendation engine. Based on the user profile, the system recommends programming to the user.

Vamparys does not disclose or suggest reporting the recommendation to the user through a celebrity agent while simultaneously displaying an image of the celebrity agent, as recited by

Applicant's Claims 1, 8, 15 and 16. Accordingly, withdrawal of the rejection with respect to Claims 1, 8, 15 and 16 and allowance thereof is respectfully requested.

Claim 2 depends from Claim 1, and therefore includes the limitations of Claim 1. Hence, for the same reasons given above for Claim 1, Claim 2 is believed to contain patentable subject matter. Accordingly, withdrawal of the rejection with respect to Claim 2 and allowance thereof are respectfully requested.

Claims 4-7, 9 and 11-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Vamparys in view of U.S. Patent No. 6,665,870 issued to Finseth et al. on December 16, 2003 ("Finseth et al.").

Claims 4-7, 9 and 11-14 depend from Claims 1 and 8, and therefore includes the limitations of Claims 1 and 8. Hence, for the same reasons given above for Claims 1 and 8, Claims 4-7, 9 and 11-14 are believed to contain patentable subject matter. Accordingly, withdrawal of the rejection with respect to Claims 4-7, 9 and 11-14 and allowance thereof are respectfully requested.

Claims 3, 10 and 17-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Vamparys in view of U.S. Patent No. 5,758,257 issued to Herz et al. on May 26, 1998 ("Herz et al."). Claims 3, 10, 19 and 20 have been cancelled.

Claim 17 now recites:

A method for making a recommendation in a lifestyle recommendation machine, the method comprising the steps of:

substituting a user profile based on explicit and/or implicit directions of a user with a celebrity profile of a celebrity;

making a recommendation for an item, service, and/or event based on the celebrity profile; and

reporting the recommendation to the user through a celebrity agent while simultaneously displaying an image of the celebrity agent. (Emphasis Added)

Support for the amendments can be found throughout Applicant's specification and in the figures.

As described above, Vamparys is directed to a method and apparatus for creating recommendations from user profiles and program metadata. The system described uses a central profiling server that includes a program agent system, a user agent system, and a recommendation engine. Based on the user profile, the system recommends programming to the user.

Vamparys does not disclose or suggest reporting the recommendation to the user through a celebrity agent while simultaneously displaying an image of the celebrity agent, as recited by Applicant's Claim 17.

Herz et al. does not cure the deficiencies of Vamparys. Herz et al. discloses, as cited by the Office Action, at column 48, line 55 to column 49, line 6 that "each customer could adopt the customer profiles of other individuals or programs such as "celebrity" profiles including the viewing preferences of different celebrities. However, such "celebrity" profiles must not be updated through passive feedback as described herein and should remain unchanged."

Herz et al. does not disclose or suggest reporting the recommendation to the user through a celebrity agent while simultaneously displaying an image of the celebrity agent, as recited by Applicant's Claim 17. Hence, Vamparys and Herz et al., taken alone or in any proper combination, does not disclose or suggest Applicant's invention as recited by Claim 17. Accordingly, withdrawal of the rejection with respect to Claim 17 and allowance thereof is respectfully requested.

Claim 18 depends from Claim 17, and therefore includes the limitations of Claim 17. Hence, for the same reasons given above for Claim 17, Claim 18 is believed to contain patentable

subject matter. Accordingly, withdrawal of the rejection with respect to Claim 18 and allowance thereof are respectfully requested.

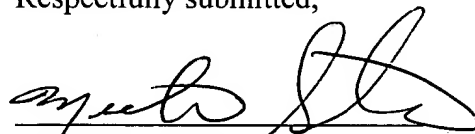
Claims 21-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Vamparys in view of Herz et al. and further in view of Finseth et al.

Claims 21-24 depend from Claim 17, and therefore includes the limitations of Claim 17. Hence, for the same reasons given above for Claim 17, Claims 21-24 are believed to contain patentable subject matter. Accordingly, withdrawal of the rejection with respect to Claims 21-24 and allowance thereof are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1, 2, 4-9, 11-18 and 21-24, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Dicran Halajian, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9607.

Respectfully submitted,



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